

Maharashtra Registration Rules, 1961

THE MAHARASHTRA REGISTRATION RULES, 1961.
INDEX
SYNOPSIS OF RULES

SR. NO	CONTENT
	I – PRELIMINARY
1	Short Title
2	Definitions
	II - CERTAIN SUB – REGISTRARS TO HOLD OFFICE AT OUT - STATIONS.
3	Sub - Registrar's visits to out - stations.
	III. LANGUAGES RECOGNISED.
4.	Languages in use in districts.
	IV. TERRITORIAL DIVISIONS.
5.	Territorial divisions for purposes of section 21.
	V. OFFICE HOURS.
6.	Office hours of Registrar's Offices.
	VI. HOLIDAYS
7.	Holidays
	VII. BOOKS AND FORMS
8.	Forms of Register Books.
9.	Opening of additional register books in certain cases
10.	Supplement to register book No. I and file of copies and translations.
11.	File of copies of Tagavi bonds.
12.	Minute Book and its use.
13.	Day Book.
14.	Cash Book.
15.	Register of powers of attorney.
16.	Forms of memoranda under sections 64 to 67.
17.	Manner of certifying and verifying pages of new register books and the simultaneous use thereof.
18.	Numbering of volumes of register books.
	VIII.SAFE CUSTODY OF BOOKS, PAPERS AND DOCUMENTS
19.	Manner of keeping of register books and records when not in use.

20.	Transfer of completed records to Central office of record in charge of Head Quarter Sub-Registrar.
	IX. RECOYPING OF REGISTER BOOKS.
21.	Manner of recopying register books or portions thereof.
22.	Register of partially recopied register books.
23.	Signing and dating of notes.
24.	Repairing of damaged register books by use of butter paper.
	X. FINES UNDER SECTIONS 25 AND 34
25.	Procedure to be followed by Sub - Registrar on receipt of an application under section 25 or 34,
26.	Refund of fine.
27.	Scale of fines under section 25 or 34.
	XI. INDEXES.
28.	Language in which indexes to be prepared.
29.	Forms of indexes under section 55.
30.	Manner of preparing indexes.
31.	Manner of indexing documents.
32.	Manner of indexing entries of memoranda or copies filed under sections 64 to 67 and 89 (2) (4),(5) and (6).
33.	Date of registration to be entered in indexes.
34.	Manner of preparing different indexes.
35.	Binding of Index No. 111.
36.	Manner of filling in columns 5, 6 and 8 of Index No. III.
37.	Manner of preparing index of register book No. 2
	XII. PROCEDURE OF REGISTRATION.
38.	Hours of accepting documents ordinarily and in case of Emergency.
39.	Form of presentation endorsement.
40.	Manner of filling in Day book.
41.	Manner of calculating copying fees.
42.	Form of receipt to be passed.
43.	Form of fee endorsement.
44.	Certain requirements to be verified before accepting a document for registration.

45.	Withdrawal when allowed.
46.	Procedure when a document is not properly stamped.
47.	Mode of writing endorsements and certificate when blank space is insufficient.
48.	Procedure on admission of document to registration.
49.	Sub - registrar, Bombay, to send copies of documents to Collector of Bombay
50.	Optional registration how distinguished from compulsory registration and determination of value of interest when not stated in document.
51.	Manner of copying stamp vendor's endorsements on register books and copies prepared under sections 65 to 67.
52.	Items to be copied in certain columns of Register Books Nos. 1, 3 and 4.
53.	Manner of noting interlineations etc. and writing marginal notes.
54.	Manner of copying endorsements in case of documents running on more than one page.
55.	Comparing and attestation of entries in register books, endorsements of copying, reading and comparing how to be made, manner of noting and attesting interlineations, etc. delegation of duty of attesting copies of documents etc., by Registrars and Sub-Registrars, Bombay, true copy certificate on copies from Central Office of Record to be signed by Head Quarter Sub -Registrar.
56.	Procedure in case of re-registration.
57.	Registration in wrong office, how set right.
58.	Procedure when document is presented for registration in duplicate - copies or memoranda under sections 64 to 67 in respect of duplicates not to be sent, Indexes of duplicates not to be made. Mode of filing copies of maps or plans accompanying duplicate.
59.	Endorsement on copies of maps and plans received under section 21 and below true copies of documents concerned: Endorsements to be signed and dated; Attestation of copies of maps or plans by executant.
60.	English or Hindi abstract when to be sent by *Sub -Registrar, Bombay, to Registrars of other districts, along with copy of document.
61.	Return of documents to parties in person and by post.
62.	Documents which are kept separate. List of unclaimed documents to be hung up. Notice to presenter or his nominee, if any, for unclaimed documents and manner of sending it.
63.	Contents of copy of reasons under sections 71 and 76.
64.	Copy of order passed by Registrar on appeal or application to be sent to Sub - Registrar and manner of copying it register Book No. 2
	XIII. RETURNS AND ACCOUNTS.
65.	Remission of fees.
66.	Manner of remission of fees into Treasury or Bank.

67.	Dates of closing accounts.
68.	Submission of monthly work statement by Registrar and Sub - Registrar.
	XIV. AUTHENTICATION AND ATTESTATION OF POWERS OF ATTORNEY.
69.	Forms of authentication and attestation of Powers - of - attorney.
	XV. ISSUE OF COMMISSIONS.
70.	Forms of issuing commissions.
	XVI. REFUND OF FEES
71.	Register of refunds.
71.A	Recovery of fees.
	XVII. WITHDRAWAL OF SEALED COVERS
72.	Procedure in case of withdrawal of sealed covers.
	XVIII. GRANT OF COPIES, SEARCHES, INSPECTIONS ETC.
73.	All applications to be in writing and to comply with the Bombay Court -Fees Act, 1959, the Indian Stamp Act, 1899, and the Bombay stamp Act, 1958 and to be numbered and tiled.
	XIX. DESTRUCTION OF DOCUMENTS
74.	The form of notice in case of unclaimed documents to
	be destroyed and the procedure thereafter; Note of
	destruction where to be recorded.
	XX.INSPECTIONS AND INSPECTORS OF REGISTRATION
75.	Inspection of registration office by Registrars.
76.	Inspection of register books in Sub - Registrar's office and in central office of record and report regarding damaged books by Inspector.
77.	Submission of diary of work by Inspectors.
	XXI. ADMINISTRATION REPORT
78.	Annual and Triennial Reports
79.	Submission of suggestions for improvement of registration system.
	XXII. PHOTO – COPYING PROCEDURE.
80.	Documents to be sent to Manager, Government Photo Registry Office, Pune, for photo - copying; preparation of list and its preservation.
81.	Manner of sending documents to Manager.
82.	Identification mark on pages of a document.
83.	Serial numbering of documents.
84.	Preparation of books of photo - copies.

85.	Photo -copies to be kept loose in box; its contents to be certified.
86.	Form of certificate on books of photo - copies of documents.
87.	Numbering of pages and manner of binding books.
88.	Preservation of books.
89.	Manner of preservation and storage of negatives in Government Photo Registry.
90.	Serial numbering of each length of film negative.
91.	Mode of certifying film negative, certificate when to be given : Contents of seal.

THE MAHARASHTRA REGISTRATION RULES, 1961

- G. N., R. D., No. RGN. 1157 - II - N, dated 17th October 1961 (M. G. G., Pt. IV - A, P. 778)
- Amended by G. N, R. D., No. RGN. 1157 - II - N, dated 12th September 1962 (M. G. G., Pt. IV - B, p. 2759)
- Amended by G. N., R. D., No. RGN. 1562/62505 – N dated 26th September 1962 (M. G. G., Pt. IV-A, p. 809)
- Amended hi G. N., R. D., No. RGN 1562/119383 –N dated 2nd September 1963 (M. G. G., Pt. IV -A, p. 942)
- Amended by G.N., R. & F D., No. RGN. 1563/80752 -.N, dated 4th November 1965 (M. G. G., Pt. IV-A, h. 1068).
- Amended by G. N., R. & F. D., No. RGN. 1167/49386 -N, dated 10th July 1968 (M. G. G., Pt. IV- A, p. 304) .
- Amended by G. N, R. & F. D., No. RGN. 1269/308036 -N, dated 9th September 1969 (M. G. G., pt. IV - A, p. 1018).
- Amended by G. AT., R. & F D., No. RGN. 1607/256055-N dated 281h July 1971 (M. G. G., Pt. IV-A, p. 529).
- Amended by G. N. R. and F. D. No. RGN-1076/161723-M- 1 dated 4th November- 1980
- Amended by G. N. R. and F. D. No. RGN - 1080/CR - 319/M - 1 dated 4th July, 1983.
- Amended by, G. N. R. and F. D. No. RGN (1088/CR - 649/M-1 dated 26th July 1989.

The following rules made by the Inspector - General of Registration for the State of Maharashtra

1. The Central Provinces and Berar Registration Rules, 1939	In exercise of the powers conferred upon him by Section 69 of the Indian Registration Act, 1908 (XVI of 1908), in its application to the State of Maharashtra and of all other powers enabling him in this behalf and in supersession of the Rules mentioned in the margin, having been approved by the Government of Maharashtra, are hereby published for general information namely :-
2. The Bombay Registration Rules, 1946.	
3. The Hyderabad Registration Rules, 1956.	

I. PRELIMINARY

- Short title:-
 - (1) These rules may be called the Maharashtra Registration Rules, 1961.
 - (2) They shall come into force on the first day of January 1962.
- Definitions - In these Rules, unless the context otherwise requires:-
 - (1) "Act" means the [**] Registration Act, 1908;

- (2) "Form" means a Form appended to these rules;
- (2A) "Headquarter Sub-Registrar" means a Sub Registrar designated as such by the appointing authority and posted at the headquarters of a registration district:-
- (3) "Index" means an index mentioned in section 55;
- (4) "Inspector" means an Inspector of Registration offices appointed under section 8;
- (5) "register books" means the books kept under section 51 and includes additional register books opened under rule 9 and supplement to register book No. 1, opened under rule 10;
- (5-A) " registration office" means the office of a Registrar or of a Sub - Registrar;]
- (6) "Schedule" means a Schedule appended to these rules;
- (7) " section " means a section of the Act;
- (8) "Sub - Registrar" includes a Joint Sub - Registrar and a Headquarters Sub -Registrar.]

II. CERTAIN SUB - REGISTRARS TO HOLD OFFICE AT OUT - STATIONS

3. Sub-Registrar's visits to out -stations. -The Sub-Registrar of such sub-districts as may be specified by the Inspector -General of Registration by notification in the Official Gazette shall hold their offices at such out -stations and during such periods as may be specified in such notification:

Provided that the Inspector - General of Registration may, for special reasons to be recorded in writing, order that any of such Sub -Registrar shall hold his office at the headquarters instead of at the out -station during the whole or any part of the period specified in the said notification:

Provided further that the Inspector- General of Registration may, by notification in the Official Gazette, direct that in lieu of any of such Sub-Registrars, the Joint Sub-Registrar of the same sub-district shall hold his office at the out-station and during the period specified in the notification issued under the forgoing provision of this rule.

III. LANGUAGES RECOGNISED

4. Languages in use in districts.- Languages deemed to be commonly used in each of the following districts shall be as specified below, namely:-
- (a) in the Districts of Bombay and Bombay Suburban - Marathi, Hindi, (written in the Devanagiri script), Gujarati and English;
 - (b) elsewhere in the State - Marathi, Hindi (written in the Devanagiri script) and English.]

IV. TERRITORIAL DIVISIONS

5. Territorial divisions for purposes of section 21. - The territorial divisions recognised for the purposes of sub-section (3) of section 21, shall be,.
- (a) within the limits of the ordinary original civil jurisdiction of the High Court of Judicature at Bombay, the district and Sub - district of Bombay and
 - (b) elsewhere the district, sub-district, the taluka, and village or township wherein the immovable property affected by the document is situated.

V. OFFICE HOURS

6. Office hours of registration offices. - Registration offices shall be kept open daily (Sunday, and holidays excepted) as follows:-
- (a) In the districts of Bombay and Bombay Suburban- on all week days, from 10 - 00 a. m. to 5 - 00 p. m. with half an hour recess between 1 - 00 p. m. and 1 - 30 p.m.
 - (b) Elsewhere in the State on week - days, between such hours of the day not less than seven hours as the Registrar may fix, and where no such hours are fixed from 10-30 a. m. to 5-30 p.m.] with half an hour recess between 2 - 30 to 3 - 00 p. m.

VI. HOLIDAYS

7. Holidays- The holidays to be observed in registration offices shall be the days notified by the Government under section 25 of the Negotiable Instruments Act, 1881, as public holidays and such other holidays as are sanctioned for the revenue offices of the district in which the registration office is situated.

VII. BOOKS AND FORMS

8. Forms of register books.-The register books numbers 1 to 5 required to be kept under section 50 shall be in Forms A, B, C, D, and E, respectively.

MANNER OF MAKING VOLUMES OF REGISTER BOOKS -

- 1) Special volumes of register books numbers 1, 3 and 4 in the rules referred to as the additional register books) shall be opened in the every registration office, where documents prepared on printed or lithographed forms are presented for registration by the parties. The additional register books shall be in the form of bound volumes containing, as far as possible, 200 pages The notes of erasures, interlineations, blanks or alterations under rule 53 shall be copied in the margin of the copy of the document so bound exactly as they appear in the document. The copies of the documents shall be filed in these volumes according to their order of registration.
 - 2) The copy of each document prepared on printed or lithographed form with endorsements thereon in original shall be made by filling in blanks in the spare copy of the form of such document supplied by the parties and by copying the endorsements, on the spare copy or on a separate sheet of paper, when necessary. The registering officer shall affix the seal of the office, so that the seal shall appear on each joint of adjoining pages.
 - 3) In case of typed or handwritten documents volumes in register books 1,3 and 4 as the case may be, shall be made from one spare Xerox copy out of the two spare Xerox copies supplied by the party under clause (aa) of sub rule (1) of rule 44 of the document. The page numbers in these volumes shall be according to the procedure laid down in rule 82 of these rules. While preparing volumes as aforesaid the provisions of sub-rule (1) and (2) above shall apply mutates mutandis except in respect of giving page numbers
 - 4) In respect of documents covered under sub-rule (3) above the second spare Xerox copy of the documents shall have all the notes, endorsements, certificates copied thereon as is provided for first Xerox copy for binding volumes and when all the notes, endorsements and certificates are copied on the second spare Xerox copy of the document the same shall be sent to the manager, Government Photoregistry, Pune as provided under Chapter XXII of these rules.
 - 5) There shall be separate series for volumes in respect of sub-rule (1) and sub-rule (3) above.
 - 6) The procedure for preparation of series of volumes, copying of notes, endorsement certificates and other related matters as and when required, shall be notified by the Inspector General of Registration, in the Official Gazette.
10. Supplement to register book No. 1 and file of copies and translations.-
- (1) Supplement to register book No. 1 shall be kept as follows:
 - Part I - for the purposes of sections 64, 65, 66 and 67 ;
 - Part II - for copies of maps or plans mentioned in section 21 :
 - Part III - for copies of certificates of sale of immovable property granted by Civil Courts, revenue officers and such other officers as may be specified in this behalf by the Inspector - General of Registration from time to time);

- Part IV - for statement regarding land acquired under the Land Acquisition Act, 1894 received from the Collector;
- Part V - for copies of instruments received under section 122 of the Maharashtra Co - operative Societies Act, 1960 ;
- Part VI - for memoranda received under sections 18 and 28-A of the Bombay Public Trust Act, 1950;
- Part VII - Copies of instruments received under section 58 of the Maharashtra Provision of Facilities for Agriculture Credit by Banks Act, 1974.

(2) A separate file shall be kept for filing copies and translations of documents presented under sections 19 and 62. The copies and translations filed in this File shall be connected by cross reference with the entries in the register books.

11. File of copies of Tagavi Bonds, - A separate file styled " File of copies of Tagavi bonds" shall be opened for filing copies received under sub - section (1) or (3) of section 89.
12. Minute Book and its use.- Every registering officer shall keep a Minute Book in Form F, and shall enter therein in his own hand, a short note of every case of suspension or deviation from ordinary procedure of acceptance for, and admission to, registration and shall also record therein notes of such other proceedings of cases as may, from time to time, be specified by the Inspector -General of Registration. Every such note shall be signed and dated by the registering officer :

Provided that in the district of Bombay the Sub-Registrar and elsewhere the Registrar may delegate the duty of writing such note to a Head Clerk or Head Quarter Sub-Registrar respectively but the Sub-Registrar and the Registrar shall sign below the note. Such note shall be necessary;-

- (a) when a Registrar or Sub-Registrar impounds a document for insufficiency of stamp duty;
- (b) when a Sub-Registrar postpones registration pending receipt of sanction to the levy of line;
- (c) when a Sub-Registrar refuses registration;
- (d) when a document is received out of office hours or at another place;
- (e) when a summons is issued for enforcing the attendance of the executant or other witnesses;
- (f) when a document is withdrawn;
- (g) when a document is returned for removal of ordinary impediments.

13. Day Book.- Every registering officer shall keep a Day Book in Form G.
14. Cash Book.- In every registration office there shall be kept a Cash Book in Form H. All fees received in respect of registration, grant of copies and authentication or attestation of powers - of- attorney and all other fees, fines and moneys recovered by the registering officer shall be brought to account in the Cash Book every day and the registering officer shall sign the same in token of the correctness of the day's total.
15. Register of powers of attorney.- Every registering officer shall keep a register of the powers - of - attorney authenticated or attested by him under section 33 in Form I. The entries in this register shall be made for each calendar year.
16. Forms of memoranda under sections 64 to 67.- The memoranda of documents required to be made under sections 64, 65, 66 and 67 shall be in Form J.

17. Manner of certifying and verifying pages of new register books and the simultaneous use thereof.-
- (1) Every officer shall certify under his signature [on the back side of the title page] of every register book issued by him, the number of pages actually contained in such book as required by sub-section (2) of section 16 and shall also note the date of issue thereon.
 - (2) Every registering officer on receiving a new register book shall count its pages and satisfy himself that their number tallies with that given in the certificate on the back side of the title page]. If it so tallies the registering officer shall certify to that effect on the back side of the title page and note thereon the date of the certificate. If the number does not so tally, he shall return the register book to the issuing officer for rectifying the error. The registering officer shall note on every register book received by him the date of its receipt by him under his signature, and shall take out the books for use in order of their receipt:

Provided that when the volume of copying work is great, two or more Volumes of register books No. 1, 3 and 4 may be used simultaneously in such case, the use of the register books shall be regulated according to the regulations made by the Inspector General III Registration in this behalf.
 - (3) When a book is written up or completed, the registering Officer shall examine it and certify at the end of the book that the paging is correct according to the certificate [on the back side of the title page]. If any discrepancy in the paging is found, he shall at once report it to the Registrar.
18. Numbering of volumes of register books.- The volumes of each register book shall be numbered in a consecutive series which shall not terminate with the year, but be carried on perpetually; and it shall not be necessary to commence a fresh volume of a register book at file beginning of a year.

VIII. SAFE CUSTODY OF BOOKS, PAPERS AND DOCUMENTS

19. Manner of keeping of register books and records when not in use.- The office of every Registrar and Sub - Registrar shall be provided with shelves, presses or almirahs, sufficiently large to contain the register books and other records. All register books and other records and all papers and documents in the custody of a registering officer other than documents kept by a Registrar in a fire - proof box shall, when not required during office hours, be kept in such shelves, presses or almirahs, as the case may be.
20. Transfer of completed records to central office of record in charge of Head quarter Sub-Registrar.-
- (1) Every office of the Registrar shall function as the central office of record for the district and the record therein shall be in charge of the Head quarter Sub - Registrar :

Provided that wherever a record room is not provided in the office of any Registrar for keeping records of the district, such office shall function as a central office of record only after a record room is provided therein for keeping such records.
 - (2) The complete volumes of the under mentioned books dating back over five years and belonging to the office of a Sub-Registrar situated outside the district of Bombay shall, at the commencement of each calendar year, be transferred to the central office of record:-

Register books Nos. 1, 2, 3 and 4

Additional register books Nos. 1, 2 and 4.

Supplements to register books Nos. 1 [Parts I, II, III, IV and V, VI and VII], Thumb Print Registers.

Files kept under sub - rule (2) of rule 10.

- (3) Completed Minute Books, Cash Books and Day Books and the files. of copies of Tagavi bonds shall be retained by Sub-Registrars in their own offices until they are destroyed in accordance with the rules for the destruction of such records made by Government.
- (4) The indexes made in the office of each Sub -Registrar shall be bound and retained in that office and shall be transferred to the central office of record when the register books are transferred to it under sub-rule (2). Such indexes shall be kept separate from the indexes made in the office of the Registrar.
- (5) In the District of Bombay and in any other district in which the office of the Registrar has not commenced to function as the central office of record, all the books and other records referred to in sub-rules (2) (3) and (4) shall be kept by the Sub-Registrar in his own record room.
- (6) This rule shall not apply to the districts or sub - districts specified in a notification issued under sub - section (1) of section 70 - C.

IX. RE-COPYING OF REGISTER BOOKS

21. Manner of recopying register books or portions thereof. –

- (1) A Registrar may, on the report of an Inspector made to him under sub - rule (2) of rule 76 or after personal inspection, by a written order direct under sub - section (5) of section 51, that any particular register book or portion thereof which is in danger of being destroyed or becoming wholly or partially illegible shall be re - copied by hand or by photography as he may deem fit:

Provided that where only a portion of an entry is in danger of being destroyed or becoming illegible, the Registrar shall direct that the whole entry including the true -copy certificate shall be re -copied.

- (2) Every entry which is directed to be re - copied shall be re – copied in the new register book in its entirety along with the true -copy certificate and each entry so re - copied shall be carefully compared with the entry in the original register book. The registering officer shall then certify under his signature in the manner laid down in rule 55 that it is a true -copy. A note of the Registrar's order directing the re - copying of the entry shall be made below the true - copy certificate, so re -copied.
- (3) A note shall be made in the old register book below each original entry which has been re-copied showing the number of the new register book and the number of the page of such book in which the entry has been re - copied.
- (4) When an entire register book is re - copied, the new register book shall bear the same number as the old one. After the entries in the new register book have been compared with the entries in the old register book and the new register book certified by the registering officer as aforesaid, the old register book shall be destroyed and a note about its destruction shall be made in the catalogue of records. Such note shall also show the number of the new register book in which the entries from the old register book have been re - copied.
- (5) where only a portion of a register book is to be re - copied, the new register book in which that portion is re-copied shall bear a fresh serial number such as 1-A, 2-A, 3-A, 4-A or 5-A as the case may be.

22. Register of partially re - copied register books.- A register containing the full particulars of the partially re - copied register books shall be maintained in Form K. Such register shall be preserved permanently.

23. Signing and dating of Notes.- All notes made under the rules contained in this Part shall be signed and dated by the registering officer.
24. Repairing of damaged register books by use of butter paper.- If in the opinion of a Registrar any register book, which is wholly or partially damaged but the writing on which is clear and legible and which is less than 60 but more than 40 years old can be repaired by using butter paper, he may by an order in writing direct that such book or such portion thereof as he thinks fit shall be so repaired instead, of being re - copied as provided in rule 21.

X. FINES UNDER SECTIONS 25 AND 34.

25. Procedure to be followed by Sub-Registrar on receipt of an application under section 25 or 34.- when an application for a direction under sub-section (1) of section 25 or under the proviso to sub-section (1) of section 34 is lodged with a Sub-Registrar, the Sub -Registrar shall, on payment being made to him of the maximum amount of fine imposable by the Registrar under rule 27, at once proceed with the enquiry prescribed in sub-section (3) of section 34 and shall endorse on the document the particulars prescribed in section 58 in the manner shown in Form L, but the certificate under section 60 shall not be endorsed until the Registrar's direction under sub - section (1) of section 25 or the proviso to sub - section (1) of section 34 is communicated to the Sub - Registrar;

Provided that nothing in this rule shall be deemed to affect the power of a Registrar to refuse such application.

26. Refund of fine -Where the application for a direction lodged with the Sub - Registrar under sub - section (1) of section 25 or under the proviso to sub - section (1) of section 34 is refused by the Registrar, the whole amount of fine paid by the applicant under rule 25 and where the amount of fine imposed by the Registrar is less than the amount of fine paid by the applicant under rule 25, the excess amount of fine, shall be refunded to the applicant:

Provided that when a direction is made under section 25 but the Registrar refuses to direct registration under the proviso to sub - section (1) of section 34, the fine imposed under section 25 shall not be refunded.

27. Scale of lines under section 25 or 34:- The scale of fines to be imposed under section 25 or 34, shall be as follows, namely:
- (1) if the delay does not exceed one month - not exceeding 2 ½ times the proper registration fee;
 - (2) if the delay exceeds one month but does not exceed two months - not exceeding five times the proper registration fee;
 - (3) if the delay exceeds two months but does not exceed three months - not exceeding 7 ½ times the proper registration fee;
 - (4) if the delay exceeds three months but does not exceed four months - not exceeding ten times the proper registration fee.

Note: This rule does not affect the Registrar's discretion to impose a smaller fine than the above maximum, under sections 25 and 34, in suitable cases.

XI. INDEXES

28. Language in which indexes to be prepared.- Indexes shall be prepared in Marathi.

29. Forms of indexes under section 55.-Indexes Nos. I, II, III and IV required to be made under section 55 shall be made in forms M, N, O and P respectively and indexes Nos. I - A and II - A shall be made in Forms M and N respectively:

Provided that indexes Nos. II and II - A in respect of properties in city surveyed areas shall also be kept in Form N (Part II)

30. Manner of preparing indexes. - In preparing the indexes, the transliteration table in the schedule shall be followed. European or American names shall be indexed alphabetically under the initial letter of the surname. Indian names (or foreign names where no fixed surname is used) shall be indexed under the initial letter of the personal name. All prefixes and affixes denoting rank, occupation or caste shall be put into brackets and shall not be taken into consideration for the purpose of preparing indexes in alphabetical order. In the case of an Indian Christian, who has no family name, and who adds his father's name or the name of his village to his own, the names shall be indexed in the same manner as an ordinary Indian name.

31. Manner of indexing documents. –

(1) All documents executed by or on behalf of Government shall be indexed under "Shasan" in " Marathi "

(2) A document executed under the authority of a power -of -attorney shall be indexed in the names of the principal and attorney both. A document executed by a guardian on behalf of a minor shall be indexed in the names of the minor and guardian both. A document executed by or on behalf of a Company or Corporation shall be indexed in the name of the Company or Corporation, as . the case may be.

(3) In the case of certificates of sale, index No. I shall be prepared in the name of judgment debtor.

32. Manner of indexing entries of memoranda or copies tiled under sections 64 to 67 and 89 (2), (4), (5) and (6). -The index entries of memoranda or copies filed under sections 64, 65, 66, 67 and sub -sections (2), (4), (5) and (6) of section 89, and statements of lands acquired under the Land Acquisition Act, 1894, shall be made in the same indexes and in the same manner as entries concerning documents entered or filed in register book No. 1.

33. Date of registration to be entered in indexes. - In entering the date of the registration in any of the indexes, the date entered on the certificate of registration under section 60 shall be taken to be the date of registration :

Provided that in the case of documents filed in Part I or III or IV [or V] of the supplement to register book No. I or of copies filed under sub - section (1) or (3) of section 89, the date of their filing shall be taken to be the date of registration.

34. Manner of preparing different indexes. –

(1) When there are several executants of a deed, a separate entry shall be made under the name of each of them in proper alphabetical order in column 1 of indexes Nos. I and I - A.

(2) Indexes Nos. II and II-A shall be prepared village-wise, one or more separate sheets being assigned to every village. In the case of such towns as the Registrar may in his discretion declare to be large towns, separate sheets shall be used for each municipal division, ward, quarter or street.

- (3) In the case of city surveyed areas, an additional index No. II shall be prepared in the special card form, namely, Part II of Form N, a separate card being used for each city surveyed property.
35. Binding of Index No. III. - In the office of every Registrar and Sub-Registrar, index No. III shall be bound into a separate volume either year by year or, if more convenient, over a number of years together.
36. Manner of filling in columns 5, 6 and 8 of Index No. III. - Columns 5, 6 and 8 of index No. III in Form O shall not be filled in until it has been ascertained beyond dispute that the testator or donor, to whose will or authority to adopt the index entry relates, is dead. If the fact of such death is not ascertained till after the index in which the entry was made has been sent by the Sub-Registrar to Registrar, the Sub - Registrar shall immediately forward to the Registrar, a statement of the particulars to be inserted in the said columns, and the Registrar shall thereupon cause the said particulars to be duly entered in the index so sent to him for filing in his office.
37. Manner of preparing index of register book No. 2. - At the end of every year an alphabetical index in Form Q shall be prepared at the end of register book No. 2 of all the entries in such book.

XII. PROCEDURE OF REGISTRATION

38. Hours of accepting documents ordinarily and in case of emergency. –
- (1) No document shall be accepted for registration at any registration office unless it is presented during office hours on a working day.
- (2) Notwithstanding anything contained in sub-rule (1) in cases of grave emergency, a registering officer may accept any document for registration at his office or his private residence, or the private residence of some person other than himself, at any hour on any day. In all such cases, a Sub - Registrar shall at once report to the Registrar to whom he is subordinate, the fact of his having accepted a document for registration and the reasons for his doing so.

Explanation:- For the purposes of this sub - rule " day " means a day beginning one hour before sunrise and ending one hour after sunset.

39. Form of presentation endorsement-
- (1) The registering officer shall make endorsement as required by section 52, either by writing or impressing it on every document presented to him for registration, in the following form, namely:-
- "Presented at the office of the Registrar/Sub-Registrar of between the hours of and on the 19 .
- (2) In the City of Bombay, the Sub -Registrar, and elsewhere, the Registrar, may delegate the duty of recording the endorsement under this rule to his Personal Clerk and the Sub - Registrar at the headquarter, respectively.
- (3) Any instrument executed by or in favour of any Officer referred to in sub -section (1) of section 88 may be presented for registration to the registering officer under a covering letter from such officer issued in his official capacity.

40. Manner of filling in Day, Book:-

- (1) On receipt of a document for registration, a registering officer shall fill in the first three columns of the Day Book in Form G and then proceed to recover the proper registration fees payable in respect of the document.
- (2) The serial number under which a document is entered in the Day Book shall be endorsed on the document above the endorsement made under rule 39.

41. Manner of calculating copying fees. - In calculating copying fees in the case of documents copied by hand a part of a folio shall be counted as a whole folio. When a document is short and the copy thereof is likely to cover less than a page of a register book, the whole number of words shall be counted. In other cases, the number of folios may be counted by multiplying the average number of words in five different lines in different parts of the document by the number of lines in the document fraction of a word being counted as a word and dividing the result by one hundred:

Provided that the transcription made under rule 51 shall not be taken into account in calculating the copying fees:

Provided further that the copying fees in the case of documents copied by photography shall be calculated at the rate charged per page of the document.

42. Form of receipt to be passed:-

- (1) A registering officer, shall pass a receipt in Form 'R' whenever a document is presented for registration or deposit, or whenever payment of any fee or fine or other amount is made to him.
- (2) A registering officer visiting a private residence or jail under the proviso to section 3 1, sub -section (2) of section 33 or sub –section (2) of section 38, as the case may be, on being paid his traveling expenses, shall pass a similar receipt,

43. Form of fee endorsement.-

- (1) On receipt of the fees, the registering officer shall endorse on the document the following note, namely:-

Received fees for Photo Offices.	Other offices.
Rs. [P]	Rs. [P]
Registration.	Registration.
Copying A/B pages	Copying (Folios)
Postage	Copying endorsements Postage
Total	Total
A. B.	A. B.
Registrar or Sub - Registrar	Registrar or Sub - Registrar.”

- (2) When the fees for any other items specified in Form R are levied, these items shall be noted in manuscript.

44. Certain requirements to be. verified before accepting a document for registration.-

- (1) Before accepting any document for registration, a registering officer may not concern himself with its validity, but shall ascertain -
- (a) that it is properly stamped;
 - (aa) that it is written in black ink or typed on black ribbon accompanied by two neat and clearly legible Xerox copies taken on only one side of the paper of not less than 80 GSM thickness with butter paper of not less than 40 GSM thickness stiched to each Xerox page
 - (b) that it is presented within the prescribed time, and in the proper office;
 - (c) that it was presented by a competent person;
 - (d) if it relates to immovable property, that it is not open to objection under section 21 or 22;
 - (e) if any document is in a language which he does not understand, that the provisions of section 19 are complied with ;
 - (f) that any interlineations, blanks, erasures or alterations appearing in the document are attested by the signature or initials of the person or persons executing the same as required by section 20;
 - (g) that the dates of execution of the document, if written according to more than one calendar, tally with each other; and
 - (h) that the registration of such document has not been declared as opposed to public policy under section 22 -A.
 - (i) that if the transaction which is indented by the document, is prohibited by any existing act of Central or State Government, then the true copy of requisite permission or No Objection Certificate from the Competent Authority under the said act, has been attached along with the document and that the document is not written in contradiction with any vital term or condition mentioned in that permission or No Objection Certificate.

- (2) If on presentation of the document, the fees prescribed under section 78 are not paid on demand, the registering officer shall refuse to register the document.

45. Withdrawal when allowed:- A registering officer may, before the admission of any of the executants is recorded, at the request in writing of the party presenting the document for registration, allow him to withdraw the same.

46. Procedure when a document is not properly, stamped:-

- (1) when a document, which is not duly stamped, is presented for registration and the registering officer impounds it under the Indian Stamp Act, 1899 or the Bombay Stamp Act, 1958, he shall not forward the document to the Collector until the executant or executants appear before him for the purpose of enquiry under section 34 or until the expiration of the period of four months specified in section 34 whichever is earlier. The endorsements under rules 39 and 43 section 58 shall be made on the document before it is sent to the Collector but it shall not be copied or certified as registered until it has been returned to the registering officer with the Collector's certificate that the proper stamp duty has been paid thereon.
- (2) If a document is impounded under the Indian Stamp Act, 1899 or the Bombay Stamp Act, 1958, the registering officer shall record a statement immediately below the endorsement made under rule 39 that such document is impounded under section 33 of the Indian Stamp Act, 1899 or section 33 of the Bombay Stamp Act, 1958 and shall sign such statement.
- (3) In the city of Bombay, the Sub-Registrar and elsewhere, the Registrar may delegate the duty of recording the statement under sub - rule (2) to his Personal Clerk and the Headquarters Sub - Registrar , respectively

47. Mode of writing endorsement and certificate when blank space is insufficient. –

- (1) Every document -admitted to registration shall provide a blank space for writing endorsements under section 52 and 58 and the certificate under section 60. If in any case, the blank space on a document is insufficient for writing endorsement, an extra Piece of blank paper shall be firmly gummed on or attached to it, so as not to overlay any of the matter originally written in the document and the registering officer shall make each of the said endorsements and certificate partly on the document itself and partly on the piece of paper so gummed on or attached.
- (2) When an extra piece of paper is stitched to the document, or where a document is written on more pages than one, the registering officer shall affix his seal on each join.

48. Procedure on admission of document to registration:-

- (1) If a registering officer does not, on the face of it, see any objection to accepting a document for registration he shall proceed with the enquiry under section 34 and if the document is admitted to registration, the endorsements under section 58 and the certificate under section 60 shall be made in the manner shown in Form L,
- (2) The registering officer shall not endorse an admission of receipt of consideration unless the admission is voluntarily made.
- (3) If a person executing a document admits that he has executed it, but denies receipt of consideration either in whole or in part, the registering officer shall not refuse to register the document on that account, but shall made a note of such denial in the endorsement.
- (4) When a registering officer is acquainted either with the person admitting execution of a document or with the witness to his identity, he shall make a note in the endorsement to that effect. If the registering officer is not acquainted with the executant and no witness with whom the registering officer is acquainted is produced to identify the executant, the registering officer shall either:-
 - (a) examine any two witnesses, produced by the executant to prove identity or;
 - (b) examine on oath the executant and one witness, produced by the executant to prove his identity.
- (5) Where the person appearing before the registering officer as .in executant of a document is in the military employment of Government and is unable to produce any witness or witnesses to identify him or to prove his identity, as the case may be, the registering officer shall if such person produces his identity card duly certified and bearing his photograph, accept it as sufficient proof of his identity, unless the registering officer has ground to believe that the identity card is not genuine. If the identity card is accepted as such proof, the registering officer shall endorse on the document the number of the identity card and the designation of the authority purporting to have signed and certified it.

49. Sub-Registrar, Bombay to send copies of documents to Collector of Bombay –

- (1) The party presenting any document (other than documents relating to assignments of goodwill, shop or business and tenancy right) relating to immovable property situate in the District of Bombay shall supply true copies thereof to the Sub-Registrar, Bombay, for verification of cadastral survey numbers, divisions or sub-numbers as recorded in the documents with the city survey records. The true copies of the documents supplied by the party and, where no true copies have been supplied, the original documents presented by the party shall be sent by the Sub - Registrar, Bombay,

alongwith a return in Form RA to the Collector of Bombay during the first week of every month following the month to which the documents relate.

2. If any discrepancies are communicated by the Collector in respect of true copies of documents, the Sub - Registrar, Bombay, shall take steps to bring them to the notice of the executing parties and advise them to execute and register a deed of correction to set right such discrepancies.
 3. If any discrepancies are communicated by the Collector in respect of original document, the Sub - Registrar, Bombay, shall take steps for requiring the executing parties to make the necessary corrections within a reasonable time. The correction shall be made in the margin of the document under the signature of the Sub-Registrar, Bombay, after obtaining the consent of the parties or their authorized agents. If such consent is not given within a reasonable time, the Sub - Registrar, Bombay, shall index the documents under the cadastral Survey Nos. and divisions named in the documents.
50. Optional registration how distinguished from compulsory registration and determination of value of interest when not stated in document –
- (1) Entries relating to documents, registration of which is optional, shall be made in register book No.1 and in parts I, III and IV of the supplement to register book No. I , by appending letter `B' to the serial number. The absence of the said letter shall indicate that the entries relate to documents, registration of which is compulsory.
 - (2) For the purpose of determining whether the registration of a document in which the value of the interest affected is not expressed is compulsory or not, the value of the stamp affixed thereto shall be taken to indicate the value of the interest according to the provisions of the law in force relating to stamped documents
51. Manner of copying stamp vendor's endorsements in register books and copies prepared under sections 65 to 67. - When a document admitted to registration is being copied in appropriate register book as required by section 52, the value of the stamp and the stamp vendor's endorsement shall be transcribed at the beginning of the copy in such book and also on the copies prepared under sections [65] to 67.
52. Items to be copied in certain columns of Register Books Nos. 1, 3 and 4. - The following items shall be copied in column 2 of register books Nos. 1 and 4 and in column 3 of register book No. 3, namely :-
- (1) the serial number endorsed on the document under rule 40;
 - (2) the presentation endorsement referred to in rule 39 ;
 - (3) the fee endorsement under rule 43;
 - (4) the endorsement under sections 52, 58 and 59 and certificate under section 60 in the order in which they appear on the document.
53. Manner of noting interlineations, etc., and writing marginal notes. –
- (1) Any interlineations, blank, erasure or correction in a document presented for registration and in the endorsements made on it shall be copied into the relevant register book exactly as they appear in the document and in the endorsements. Marginal notes explaining such interlineation, blank, erasure or alteration shall be written in column 1 of the relevant register book in the following manner, namely:
 - (a) in the case of an interlineations or alteration a single mark " X " in red ink shall be made over it and a similar mark " X " in red ink shall be made in column 1, against it and the word "sic"

or the corresponding word in the regional language ('assal') shall be written in the said column after such mark ;

(b) in the case of an erasure or blank, two marks " XX " in red ink, one at each of such erasure or blank shall be made and similar mark shall be made in column 1, against it and the word " erasure" or "blank", as the case may be, or the corresponding word in the regional language of the district shall be written after such marks. All such notes shall be attested by the initial of the registering officer.

(2) The same procedure shall be adopted in the case of copies granted under section 57 or those forwarded under sections 65, 66 and 67.

54. Manner of copying endorsements in case of documents running on more than one page, - If the copy of a document occupies more than one page of a register book the endorsements of the document shall be copied once only, with the exception of the serial number, which shall be repeated on every page. The endorsements shall in no case be copied alongside of the copy of any document other than that to which they relate. If in the case of any documents, copies of the endorsements in column 2 of a register book extend lower down than the space occupied by the copy of the document in the column in which in document is copied, the blank space left in the last named column shall be cancelled by cross lines in ink being drawn over it.

55. Comparing and attestation of entries in register books, endorsements of copying, reading and comparing how to be made, manner of noting and attesting interlineations, etc. delegation of duty, of attesting copies of documents, etc., by Registrars and Sub - Registrars. Bombay, true copy certificate on copies from Central Office of Record to be signed by Headquarters Sub - Registrar, -

(1) When the copy in a register book has been completed, it shall be carefully compared with the original and the copyist, the reader and the comparer shall, respectively, endorse below the copy the words " copied by me ", "read by me" and "compared by me" and shall attach their respective signatures thereto ;

Provided that where there is no separate reader and the comparing is done by the Sub - Registrar himself by " eye method " it shall not be necessary to make the endorsement "read by me".

(2) The registering officer shall then certify under his signature that it is a true copy.

(3) All interlineations, blanks, erasures and corrections made at the time of copying shall be bracketed in red ink, attested by the registering officer on each side, consecutively numbered in red ink, and classified under the- categories (1) interlineations, (2) blanks, (3) erasures and (4) corrections.

(4) The form of certificate shall be as illustrated below: -

"True Copy"

Number of mistakes: 8 (eight) ; (1) and (7) Interlineations; (2), (3) and (6) blanks; (4) and (8) erasures; (5) corrections (initials of the registering officer)

(Signed) A. B.
Registering Officer.

(5) In the city of Bombay, the Sub -Registrar and elsewhere, the Registrar may delegate to his [Head Clerk or Senior Clerk and the Headquarter Sub-Registrar], respectively, the duty of attesting copies of documents in a register book as well as copies given under section 57 or forwarded under

sections 66 and 67 or the duty of writing marginal notes and of attesting interlineations, blanks, erasures or corrections under rule 53.

(6) The true copy certificate shall in the case of copies given under section 57 from the central office of record, be signed by the Headquarter Sub -Registrar

56. Procedure in case of re -registration, -In cases of re -registration under section 24, the document shall be copied into a register book in extenso, and shall be given the next serial number;

Provided that a note in red ink indicating the number of the volume of the register book and the page at which it is re -registered shall be made in the register book on the first copy of the document in column 2 of register book Nos, 1 and 4 and in column 3 of register books No. 3 below the signature of the registering officer, and such note shall be dated and signed by the officer who re-registers the document. The presentation endorsement specified in rule 39 shall be made on representation.

57. Registration in wrong office, how set right.- When a Sub-Registrar registers a document relating to immovable property not situate within his own sub - district, but in that of another sub - district, he shall on noticing the mistake, direct the person who presented it to present it again in the proper office.

58. Procedure when document is presented for registration in duplicate Copies or memoranda under section 64 to 67 in respect of duplicates not to be sent, Indexes of duplicates not to be made. mode of filing copies of maps or plans accompanying duplicate:-

(1) When a document is presented for registration with its duplicate or duplicates the endorsements required to be made under sections 52, 58 and 59 shall be endorsed on the original as well as on the duplicate or duplicates. Copy of the original document shall be made in the Appropriate register books; the duplicate or duplicates thereof shall not be so copied:

Provided that a note stating the number of duplicates presented along with the original shall be made below the entry of the original in the register book. The contents of a certificate of registration prescribed under section 60 shall be the same for the original, as well as for the duplicate or duplicates.

(2) A copy or memorandum required to be forwarded under sections 64 to 67 shall not be forwarded in respect of the duplicate or duplicates, but in respect of the original only. A note of the number of duplicates presented along with the original shall be made below the true copy certificate in the case of a copy, and in the "Remarks" column in the memorandum.

(3) Indexes shall be prepared in respect of the original only.

(4) If a document is accompanied by a map or plan, the duplicate or duplicates of such document shall each be accompanied by a copy of the map or plan. The copy of the map or plan accompanying the original shall alone be filed in Part II of the Supplement to register book No. 1. They shall be forwarded to registering officer under sections 65 to 67 [along with copies of maps] or plans relating to the original only and not the duplicate or duplicates.

59. Endorsement on copies of maps and plans received under section 21 and below true copies of documents concerned: Endorsements to be signed and dated; Attestation of copies of maps or plans by, executant:-

(1) On the copy of every map or plan received under section 21, the registering officer shall make the following endorsement, namely: -

" Copy of map or plan accompanying the document registered at number, at page, volume of register books No. 1"

The registering officer after entering the copy of the map or plan in Part II of the Supplement to register book No. 1 shall make a note in the register book No. 1 below the true copy certificate of the document to which it belongs, as follows:-

"copy of map or plan accompanying is entered at page..... of volume of Part II of the Supplement to the register book No. 1.-

- (2) These endorsements shall be dated and signed by the registering officer.
- (3) The copies of maps or plans shall be attested by the signature of the persons executing the document or their authorised agents.

60. English or Hindi abstract when to be sent by Sub Registrar, Bombay, to Registrars at other districts, along with copy of document.- When under sub - section (2) of section 30, the Sub - Registrar, Bombay, registers a document written in a language other than English or Hindi and relating to property situated beyond the limits of the State of Maharashtra, and forwards under section 67, a copy of such document to every Registrar within whose district any part of the property to which the document relates is situated, the copy shall be accompanied by an English or Hindi abstract of such document which shall be certified under his signature as the true abstract.

61. Return of documents to parties in person and by post.-

- (1) When, after the registration is complete and the document is returned under section 61, the registering officer shall obtain the signature of the recipient in the Day Book in Form G in acknowledgment of receipt of the document. The receipt given and produced by the recipient shall then be returned under section 52 to the recipient after the date of the return of the document is endorsed thereon and the endorsement is initialed by the registering officer or the Headquarter Sub-Registrar when the registering officer is a Registrar or by the Head Clerk of the Sub - Registrar in Bombay.
- (2) When a person presenting a document for registration signifies a wish that the document should be returned to him by post, receipt given to him under section 52 shall bear an endorsement that the document will be returned by post and such endorsement may be initialed as provided in sub-rule (1). The document shall, when it is returned under section 61, be returned in a registered cover with a form of acknowledgment. The registration receipt granted by the post office and the acknowledgement of the recipient, when received, shall be separately filed and their numbers shall be noted in column 13 of the Day Book.

62. Documents which are kept separate. List of unclaimed documents to be hung up. Notice to presenter or his nominee, if any for unclaimed documents and manner of sending it.-

- (1) Documents of which registration is not complete and registered documents pending delivery, shall be kept separate.
- (2) A list of documents which have been registered, and have remained unclaimed for more than one month from the date of completion of registration, shall be hung up to public view in Form S in the Office of every registering officer.
- (3) If a document remains unclaimed for one calendar month after its registration, or after registration of the same has been refused, the registering officer shall, on the day following the last day of such

month, issue a notice in Form T to the person who presented the document or his nominee, if any, informing him that if it be not claimed within a further period of one month from the date of the notice, an extra fee at the rates prescribed in the Table of Fees prescribed under section 78 shall be leviable before such document can be delivered to him. Such notice shall be sent by post.

63. Contents of copy of reasons, under sections 71 and 76. the copy of reasons required to be given to an applicant under sections 71 and 76 shall be a copy of the entries in register book No. 2 relating to the document of which registration has been refused.
64. Copy of order passed by Registrar on appeal or application to be sent to Sub - Registrar and manner of copying it in register book No. 2.- A copy of every order passed by a Registrar on appeal or application shall be sent of the Sub-Registrar against whose decision the appeal or application was made, and the substance of the order with a brief statement of the reasons therefore, in case of refusal, shall be copied by the Sub - Registrar in column 5 of the register book No. 2.

XIII. RETURNS AND ACCOUNTS

65. Remission of Fees.- All fees received under the Act and the rules made there under, shall be remitted daily to the nearest Treasury or Bank accompanied by the cash book and the signature of the officer - in - charge of the Treasury or Accountant shall be taken in the cash book. Where it is inconvenient to send the cash book along with the remittance to the Treasury or Bank, the remittance may be sent in duplicate challans, and the receipted challan obtained and kept in a separate file. In such case however, the particulars of the receipted challan, shall be noted below the relevant entry in the cash book. At stations where there is no Treasury or Bank, the fees shall be remitted to the nearest Treasury or Bank at such intervals as may, from time to time, be determined in this behalf by the Inspector General of Registration.

Explanation.- For the purposes of this rule.

- (a) 'Bank' means the Reserve Bank of India or any office or agency of the Reserve Bank of India and includes any branch of the State Bank of India, State Bank of Hyderabad acting as the agent of the Reserve Bank of India in accordance with the provisions of the Reserve Bank of India Act, .1934.
- (b) 'Treasury' means the Treasury established at the headquarters of a district. and includes a sub-treasury and the Pay and Accounts Office, Bombay.]'
66. Manner of remission of fees into Treasury or Bank. - Every registering officer shall keep in his custody the fees received by him each day and shall pay the same on the next day into the nearest Treasury or the Bank, as the case may be, as soon as it opens.
67. Dates of closing accounts.- The Sub-Registrar, Bombay, and the [Headquarter Sub- Registrars], shall close their accounts on the last day of each month and the Sub-Registrars elsewhere shall close their accounts on the day on which the Treasury, in which the fees are remitted by them, closes its accounts each month.
68. Submission of monthly, work statement by Registrar and Sub -Registrar. Every Sub-Registrar shall, on the last day of each month, submit to the Registrar, to whom he is subordinate, a monthly return in Part I of Form U and every Registrar shall, on or before the 5th day of each month, submit to the Inspector General of Registration, a monthly return in Part II of Form U on the basis of the monthly return submitted to him by the Sub-Registrars.

XIV. AUTHENTICATION AND ATTESTATION OF POWERS OF ATTORNEY

69. Forms of authentication and attestation of power of attorney:-

- (1) The registering officer shall authenticate the powers - of - attorney under section 33 in Form V.
- (2) The registering officer shall attest the powers -of -attorney under section 33 in Form W.
- (3) The consecutive number under which the power -of -attorney is entered in the Register in Form I and the fee charged shall be noted on the power - of - attorney.

XV. ISSUE OF COMMISSIONS

70. Form of issuing commissions.- Commissions issued under section 33 or 38 and the returns thereto shall be recorded in a separate file. The Commissions shall be issued in Form X.

XVI. REFUND OF FEES

71. Register of refunds.- Every registering officer shall maintain in Form Y a register of refunds.

- 71-A. Recovery of fees.

- (1) If on inspection or otherwise, it is found that fee payable under the Act, in relation to any document which is registered has not been paid or has been insufficiently paid, the Sub -Registrar shall issue notice to the person who had presented the document to pay the amount within a period of one month from the date of notice.
- (2) If such person fails to pay it within the said period, the Sub-Registrar shall report the fact to the District Registrar to whom he is subordinate. The district Registrar shall enquire into the matter and make his report to the Inspector-General of Registration.
- (3) On receipt of the report, the Inspector -General may, on going through the report and after making due inquiry and giving the person an opportunity to be heard, issue a certificate in Form YA directing that the said amount is recoverable from such person as an arrear of land revenue; and forward it to the Collector within whose jurisdiction such person resides.
- (4) On receipt of the certificate, the Collector shall recover the amount as an arrear of land revenue and credit it to Government through the Tahsildar concerned who shall immediately intimate such credit in Form YB to the Sub-Registrar and the District Registrar concerned and the Inspector - General of Registration.]

XVII. WITHDRAWAL OF SEALED COVERS

72. Procedure in case of withdrawal of sealed covers. - When an application is made for the withdrawal of a sealed cover under section 44, the Register shall, before delivering the cover under the said section, take back the receipt given under rule 42 when the cover was deposited and file it. The signature of the recipient shall ' also be taken in the last column of register book No. 5.

XVIII. GRANT OF COPIES, SEARCHES, INSPECTIONS ETC.

73. All applications to be in writing and to comply with the Bombay Court-tees Act, 1959 the Indian Stamp Act, 1899 and the Bombay Stamp Act, 1958 and to be numbered and filed:-
- (1) All applications for copies, searches, inspections or for any other purposes required to be made under the Act or these rules shall be made in writing to a registering officer and every such application shall be numbered and filed by the registering officer.

- (2) The registering officer shall not accept any application, unless it complies with the provisions of the Bombay Court-fees Act 1959, the Indian Stamp Act, 1899 and the Bombay Stamp Act. 1958, as the case may be.

XIX. DESTRUCTION OF DOCUMENTS

74. The form of notice in case of unclaimed documents to be destroyed and the procedure thereafter; Note of destruction where to be recorded.
- (1) A registering officer shall issue a notice in Form Z, when a document, the destruction of which is authorized by section 85, remains unclaimed for a period exceeding two years from the date of registration or refusal to register it or the date on which the proceedings in respect of its registration were adjourned for the last time. After the expiration of the period of notice, the Sub - Registrar shall send the document to the Registrar to whom he is subordinate for destruction and the Registrar shall communicate to the Sub - Registrar the date on which it was actually destroyed.
- (2) In case of destruction of registered documents, a note recording the destruction shall be entered in the appropriate register book at the foot of the copy of the document. In cases of documents registration of which is refused, the note shall be recorded in column 4 of register book No. 2.

XX. INSPECTIONS AND INSPECTORS OF REGISTRATION OFFICES

75. Inspection of registration office by, Registrars.-
- (1) Every Registrar shall inspect the offices of the Sub-Registrars in his district at least once every two years.
- (2) The Registrar shall send a memorandum of each inspection to the Inspector -General of Registration in Form AA.
76. Inspection of register books in Sub-Registrar's offices, and in central office of record and report regarding damaged books by Inspector:-
- (1) Every Inspector shall examine the books, indexes, accounts and other records in the office of a Sub-Registrar subordinate to him once in every year. He shall, as required by sub-section (2) of section 52, authenticate such register books as he may examine by making a record in each of them to the following effect:
- "Entries from P to P in this book have been examined by me.
- (Signed)
Inspector "
- (2) Every Inspector shall also inspect the books of the Sub – Registrars subordinate to him and the books in the central office of record for the district and report to the Registrar the register books mentioned in sub - section (1) of section 51 or portions thereof which are in danger of being destroyed or becoming illegible wholly or partially.
- (3) The Inspector shall, in the " Inspection Form " prescribed by the Inspector -General of Registration from time to time, make a memorandum of all errors, acts of negligence or doubtful practices detected and after giving the Sub-Registrar an opportunity to explain or set right at once any defect found, and after proposing such orders on the memorandum as he may deem proper, send one copy of the same for information to the Registrar to whom the Sub-Registrar is subordinate and one copy to the Inspector - General of Registration for approval.

- (4) The Inspector - General of Registration shall forward a copy of his order in respect of such memorandum with his remarks or suggestions, if any, to the Registrar and the Registrar shall then send it together with the copy of the memorandum received from the Inspector to the Sub -Registrar concerned, for compliance.

77. Submission of diary of work by Inspectors. -On or before the 7th day of every month, each Inspector shall submit to the Inspector General of Registration a diary of his work and movements during the preceding month.

XXI. ADMINISTRATION REPORT

78. Annual and Triennial Reports:-

(1) Every Registrar shall submit annual returns in Parts I to V of Form AB and shall fill up the entries therein from similar forms prepared in his office and those received by him from the Sub-Registrars. In every third year, every Registrar shall, on or before the date prescribed by the Inspector - General of Registration from time to time in this behalf, submit to the Inspector - General of Registration a brief report containing a general account of the amount of registration work performed by himself and the Sub-Registrars under him during the preceding three years.

(2) The report shall contain the following particulars, namely:

- (a) the number of documents -
- (i) registration of which was compulsory,
 - (ii) registration of which was optional,
- (b) the nature of the deeds registered,
- (c) the number and result of appeals under section 72,
- (d) the number and result of applications under section 73,
- (e) the number and results of suits under section 77,
- (f) the amount of fees collected in his office and those collected in the offices of the Sub - Registrars subordinate to him and an explanation of the significance of the statistics as bearing upon the economic condition of the people.

(3) In the two years intervening between the dates of such reports, the Registrar shall, on or before the date appointed by the Inspector -General of Registration from time to time in this behalf, submit the prescribed statements with a clear but brief indication of his opinion as to the significance of the statistics.

(4) Every Inspector and the Manager, Government Photo Registry, shall submit to the Inspector-General of Registration on or before the date prescribed by the Inspector -General of Registration from time to time, an annual report containing such information as may be prescribed by him.

79. Submission of suggestions for improvement of registration system. - When a Registrar is of the opinion that inconvenience attends the working of any of these rules or the authorised table of fees, he shall submit his suggestions for the improvement of the system of registration in separate reports and shall not incorporate them in the reports submitted by him under rule 78.

XXII. PHOTO COPYING PROCEDURE

80. Documents to be sent to Manager, Government Photo Registry office, Pune for photo - copying, Preparation of list and its preservation:-

- (1) Every registering officer in a district or sub - district to which Part XI - A of the Act applies, shall send to the Manager, Government Photo Registry Office, Pune (hereinafter in this part referred to as "the Manager") for being photo-copied, documents presented to him for registration with a list in Form AC except those mentioned in sub-section (1) of section 70-E and those declared unfit for being photo - copied by a registering officer in consultation with the Manager.
- (2) The list shall be prepared in duplicate, one copy being sent to the Manager, and the other, permanently preserved by the registering officer in his office.

81. Manner of' sending documents to Manager. - The documents shall be sent to the Manager by registered post, after being properly packed and secured in the manner prescribed by the Inspector -General of Registration.

82. Identification mark on pages oh a document. - On every written page of a document to be sent for being photo – copied shall be impressed or written the identification mark under – section. 70-D(1)(a) showing the name of the office, the number of book, the page number with the total number of pages below it and the year of registration, in the following form:

.....
H. V. L. - I
.....
4-8754-4/8
.....
19
.....

The document shall then he entered in the list referred to in rule 80.

Note : The Book No. shall not be marked in the case of documents registered in Book No. 1.

83. Serial numbering of documents. - All documents of one year shall be numbered with one consecutive series, irrespective of the number of the register book in which they are to be entered;

Provided that, except in the district of Bombay and the Bombay suburban District, prints of documents which are to be entered in different register books, shall be bound separately in the manner hereinafter prescribed.

84. Preparation of books of Photo-copies. -In all districts, excepting the district of Bombay and the Bombay Suburban District, photo -copies of documents to be entered in register books shall be made up into books of as nearly as possible 100 pages, the last page being the last page of a document.

85. Photo –copies to be kept loose in box; its contents to be certified. -In the district of Bombay and Bombay Suburban District photo-copies of documents to be entered in register books shall not be bound into books, but shall be kept loose in a box, each box being considered as a book. The contents of each box shall be certified by the senior Sub-Registrar, Bombay, or the Sub-Registrar, Bandra, as the case may be, in the form prescribed by the Inspector - General of Registration.

86. Forms of certificate on books of photo - copies of documents. - To each book of photo - copies of documents, the registering officer shall prefix a certificate in Forms AD(***) which shall be signed and dated by him.
87. Numbering of pages and manner of binding books. -The pages of the register books so formed shall be numbered serially and a certificate in Form AG shall be given at the end, which shall be signed and dated by the Inspector. The books shall be bound with a tape or strong cord approved by the Inspector - General of Registration and the knot shall be secured by means of a metal seal by the Inspector.
88. Preservation of books. - All the books shall be preserved in the offices of Sub-Registrars to which they belong in the manner approved by the Inspector -General of Registration.
89. Manner of preservation and storage of negatives in Government Photo Registry. - The negatives of all photo - copies shall be stored and preserved permanently in the Government Photo Registry. Several pieces of the film negatives belonging to one office may be joined together for convenient storage, and they shall be securely stored in the manner approved by the Inspector - General of Registrations. Each single length of film shall be numbered serially, a separate series being used for each office of a Sub-Registrar. There shall be maintained in the Government Photo Registry, a register in the form prescribed by the Inspector -General of Registration, showing the number of lengths of film for each office, and the number of documents photographed on each length and the date of storage.
90. Serial numbering of each length of film negative. - All pages of documents photographed on one length of film shall be serially numbered irrespective of the office to which the documents belong, or the order in which they are entered in the list, a separate series being used for each length of film.
91. Mode of certifying film negative, certificate when to be given contents of seal. –
- (1) Each separate length of film shall bear at the end of it a certificate by the Photo Registrar in the following form :-
- " True photo of document page No. _____ to No. _____ except _____ Date
_____ Photo Registrar."
- (2) The certificate shall be signed, sealed and dated by the Photo - Registrar. The certificate shall be given after the film is developed, prints are taken from it and the photo - copies are duly signed, dated and sealed by the Photo Registrar.
- (3) The seal mentioned in clause (c) of sub - section (1) of section 70 - D and shall bear the following inscription, namely:-
- " Seal of the Photo Registrar, Government Photo Registry, Pune."]

Notifications issued under section 88

In exercise of the power conferred by clause (d) of sub-section (1) of section 88 of the Indian Registration Act, 1908, (XVI of 1908), in its application to the State of Maharashtra, the Government of Maharashtra hereby specifies for the purposes of the said section 88, the holder for the time being, of the office of the Chief Executive Officer of every Zila Parishad established under the Maharashtra Zilla Parishads and Panchayat Samities Act, 1961 (Maharashtra V of 1962).

(G.N. R. and F.D. No. RGN. 1567148044-N, dated 31st July 1967)

In exercise of the powers conferred by clause (d) of sub-section (1) of Section 88 - of the Indian Registration Act, 1908, (XVI of 1908), in its application to the State of Maharashtra, the Government of Maharashtra hereby specifies for the purposes of the said section 88, the holder for the time being of the office of the Zonal Manager and Deputy Zonal Manager of the Life Insurance, Corporation, Western Zone.

(G.N.R. and F.D., No. RGN-1067/245735-N, dated 15th September 1967).

In exercise of the powers conferred by clause (d) of sub-section (1) of Section 88 of the Indian Registration Act, 1908, (XVI of 1908), in its application to the State of Maharashtra, the Government of Maharashtra hereby specifies for the purposes of the said section 88, the holder, for the time being, of the office of the Custodian referred to in in section 7 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (5 of 1970).

(G.N., R and F.D., No. RGN. 1069/276827-N, dated 30th May 1970)

In exercise of the powers conferred by clause (d) of sub-section (1) of section 88 of the Indian Registration Act, 1908, (XVI of 1908), in its application to State of Maharashtra, the Government of Maharashtra hereby specifies for purposes of the said section 88, the holder for the time being of the office of Managing Director of Maharashtra State Warehousing Corporation, Poona.

(G.N.R. and F.D.No. 1071/109634-N dated 3rd February 1971). .

In exercise of the powers conferred by clause (d) of sub-section (1) of section 88 of the Registration Act, 1908, (XVI of 1908), in its application to the State of Maharashtra, the Government of Maharashtra hereby specifies for the purposes of the said section 88, the holders, for the time being, of the office of the Chief Executive - Officers and of the Assistant Law Officer of Maharashtra Industries Development Corporation.

(G.N.R. and F.D.No. 1080/1910-M-1 dated 3-11-1980).

In exercise of the powers conferred by clause (d) of sub-section (1) of section 88 of the Indian Registration Act, 1908, (XVI of 1908), in its application to the State of Maharashtra, the Government of Maharashtra hereby specifies for the purpose of the said section 88, the holder for the time being, of office of Assistant Commissioner, Poona City Municipal Corporation, Poona.

(G.N.R. and F.D.No. 3471/117916-N dated 20-5-1972).

In exercise of the powers conferred by clause (d) of sub-section (1) of section 88 of the Indian Registration Act, 1908, (XVI of 1908), in its application to the State of Maharashtra, the Government of maharashtra hereby specifies for the purpose of the said section 88, the holders for the time being of offices of the (1) Managing Director (2) Company Secretary and Law Officers, (3) Chief Engineer and (4) Project Manager, of City and Industrial Development Corporation of Maharashtra Ltd.

(G.N.,R.& F.D., No. RGN-1074/218919-N dated 28th November 1974)

In exercise of the powers conferred by clause (d) sub-section. (1) of section of the Registration Act, 1908 X (XVI of 1908) in its application to the State of Maharashtra, the Government of Maharashtra hereby specifies for the purposes of the said section 88, the holders, for the time being, of the offices of the Regional Officers at Pune, Nagpur and Aurangabad of the Maharashtra Industrial Development Corporation.

(G.N.,R. & F.D., No. RGN-1078/188630-M-1 dated the 16th April 1979).

In exercise of the powers conferred by clause (d) of sub-section (1) of section 88 of the Registration Act, 1908 (XVI of 1908), in its application to the State of Maharashtra, the Government of Maharashtra hereby specifies for the purpose of the said section 88, holder, for time being, of the office of the Assistant Law Officer of Maharashtra - Industrial Development Corporation, and for that purpose amends Government Notification, Revenue and Forests Department, No. RGN. 1070/94868-N, dated the 29th July 1971, as follows, namely :

In the said notification for the words "the Deputy Secretary" the words "the Assistant Law Officer" shall be substituted.

(G.N.,R.& F.D.No. RGN. 1080/191064-M-1 dated 3rd November 1980).

In exercise of the powers conferred by clause (d) of sub-section (1) of section 88 of the Registration Act, (XVI of 1908), in its application to the State of Maharashtra, the Government of Maharashtra hereby specifies for the purpose of the section 88, holder for the time being of the office of the Assistant Law Officer of the City and Industrial Development Corporation of Maharashtra Limited.

(G.N., R. & F.D. No. RGN-10831CR-154-M-1 dated 5th July 1983)

In exercise of the powers conferred by clause (d) of sub-section (1) of section 88 of the Registration Act, 1908 (XVI of 1908), in its application to the State of Maharashtra and in super session of Government Notification, Revenue and Forests Department No. RGN.-1083/CR-154-M-1 dated the 5th July 1983, the Government of Maharashtra hereby specifies for the purpose of the said section 88, the holder for the time being of the office of the Marketing manager, the Marketing Officer, the Manager (Town Services), the Estate, Officer, the Assistant Lands and Survey Officer and the Assistant Law Officer of the City and Industrial Development Corporation of Maharashtra Limited. (G.N.R.& F.D. No. RGN-1585/CR-230-M-1 dated 27th February 1986). In exercise of the powers conferred by clause (d) of sub-section (1) of section 88 of the Registration Act, 1908 (XVI of 1908) in its application to the State of Maharashtra, the Government of Maharashtra hereby specifies for the purposes of the said section 88, the holder, for the time being of the office of the Chief Officer, Pune, Housing and Area Development Board, Pune.

(G.N.R. & F.D. No. RGN. 1089/2248/CR-352/M-1 dated 14th September 1989).

In exercise of the powers conferred by clause (d) of sub-section (1) of section 88 of the Registration Act, 1908, (XVI of 1908), in its application to the State of Maharashtra, the Government of Maharashtra hereby specifies for the purposes of the said section 88, the holder, for the time being of the office of the Registrar, National Institute for training in Industrial Engineering, Bombay.

(G.N.R. & F.D. No. RGN-1089/CR.1033/M-1 dated 5th February 1990).

In exercise of the powers conferred by clause (d) of sub-section (1) of section 88 of the- Registration Act, 1908 (XVI of 1908) in its application to the State of Maharashtra, the Government of Maharashtra, hereby specifies for the purposes of the said section 88, the holders for the time being, of the office of the Chief Administrator, New

Towns, The Administrator, New, Nashik and the Administrator, New Nanded, all of the City and Industrial Development corporation of Maharashtra Limited.

(G.N.R. & F.D. No. RGN. 1090/4416/CR-1093/M-1 dated 30th January 1991).

In exercise of the powers conferred by clause (d) of sub-section (1) of section 88 of the- Registration Act, 1908 (XVI of 1908) in its application to the State of Maharashtra, the Government of Maharashtra, hereby specifies the holders, for the time being of the officers of Area Managers of the Maharashtra Industrial Development Corporation (a Government of Maharashtra undertaking) and District Industries Centers throughout the State of Maharashtra, for the purpose of the said section 88.

(G.N.R. & F.D. No. RGN. 2001/328/CR-83/M-1 dated 14th August 2002)

In exercise of the powers conferred by clause (d) of sub-section (1) of section 88 of the- Registration Act, 1908 (XVI of 1908) in its application to the State of Maharashtra, the Government of Maharashtra, hereby specifies the holders, for the time being of the Office of the Chief Executive Officer of the Pimpri-Chichwad New Town Development Authority, for the purpose of the said section 88.

(G.N.R. & F.D. No. Nondani. 2005/4130/(04)/CR-210/M-1 dated 5th July 2005)